

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-1-

THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, OCTOBER 23, 2007, AT 6:30 P.M., IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. THE MEETING WAS CALLED TO ORDER BY MAYOR NORDFELT.

THE FOLLOWING MEMBERS WERE PRESENT:

Dennis J. Nordfelt
Russ Brooks
Carolynn Burt
Joel Coleman
Margaret K. Peterson
Steve Vincent
Mike Winder

Wayne Pyle, City Manager
Carel Hicks, Acting City Recorder

STAFF PRESENT:

Jim Welch, Finance Director
Russell Willardson, Public Works Director
Buzz Nielsen, Chief of Police
Kevin Astill, Parks and Recreation Director
John Janson, Acting CED Director
Aaron Crim, Administration
Tim Bywater, Legal Department
Craig Thomas, Administration

13481 **OPENING CEREMONY**

The Opening Ceremony was conducted by Russ Brooks who read from a play, "Time," telling how our thoughts and our thinking are reflections of how we will live our lives.

13482 **SCOUTS**

Mayor Nordfelt welcomed Tyler Jensen of Troop 97 and Eric Flemming of Troop 343, both in attendance to complete requirements for the Citizenship in the Community and Communications merit badges, respectively.

13483 **INTRODUCTION OF NEW EMPLOYEES**

Teresa Tate, HR/Administration, introduced the following new employees to the City Council:

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-2-

Administration

Shawn Halladay, Computer Technician
Karen Nelson, Justice Court Clerk

Community and Economic Development Department

Cori Hedelius, Animal Services Officer
Kasie Matson, Shelter Technician
Kristen Wagner, Animal Services Dispatcher
Denise Christensen, Shelter Technician
Melinda Hotchkiss, Animal Shelter Office Clerk
David Wirthlin, Animal Services Officer
Dennis Murray, Code Enforcement Officer

Parks and Recreation Department

Skyler Graves, 2nd Assistant Golf Superintendent
James Wadsworth, 1st Asst. Golf Pro
Conrad Hart, 2nd Assistant Golf Superintendent

Police Department

Keldon Arrington, Police Officer
Steve Bardshall, Police Officer
Brandon Christiansen, Police Officer
Franco Libertini, Police Officer
Jennifer Mayer, Support Services Clerk
Lacy Craig, Intelligence Analyst
Terry Cox, Police Officer
Tavis Huber, Police Officer
Keith Slentz, Police Officer
Robert Weidlein, Police Officer
Jaron Averett, Police Officer
Robert Brinton, Police Officer
Mario Cadenas, Police Officer
Matt Madsen, Police Officer
Faith Trolson, Police Officer
Tony Wolfgramm, Police Officer
Ben Tippetts, Support Services Clerk

Public Works Department

Scott Riggs, Operator I
Richard Thomas, Operator I

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-3-

Law Department

Spencer Walsh, Deputy Prosecuting Attorney
Timothy Barnes, Deputy Prosecuting Attorney

Fire Department

Don Slick, Fire Inspector

The City Council welcomed the new employees to service with West Valley City.

13484

PRESENTATION BY TIBBY MILNE, UTAH COUNCIL FOR CRIME PREVENTION – 10TH ANNUAL CONFERENCE TO BE HELD AT THE UTAH CULTURAL CELEBRATION CENTER

Mayor Nordfelt introduced Ms. Tibby Milne, Utah Council for Crime Prevention. Ms. Milne addressed the City Council and offered congratulations regarding the UCCC facility to be used in November for a conference with youth, law enforcement, professionals, volunteers, parents, clergy, and to talk about critical issues facing youth of today. She stated approximately 500–600 youth would attend the conference from all over the State of Utah. She indicated adjacent hotel facilities would also be used. Ms. Milne presented an informational packet explaining the program and expressed appreciation to the City Council for the City's hospitality.

13485

COMMENT PERIOD

Upon inquiry by Mayor Nordfelt, there was no one in attendance desiring to address the City Council during the Comment Period.

13486

PUBLIC HEARING, APPLICATION NO. ZT-7-2007, FILED BY WEST VALLEY CITY, REQUESTING TO AMEND TITLE 7 SECTION 2 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING TEMPORARY STORAGE CONTAINERS

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding Application No. ZT-7-2007, filed by West Valley City, requesting to amend Title 7 Section 2 of the West Valley City Municipal Code regarding temporary storage containers. He discussed proposed Ordinance No. 07-63 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 07-63 which would amend Sections 7-1-103, 7-2-116 and add Section 7-2-130 to Title 7 of the West Valley City Municipal Code regarding storage containers.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-4-

Mr. Pyle stated currently residential neighborhoods were dotted with storage containers that were not being used as temporary structures. He further stated as storage containers were useful for moving as well as remodeling, it seemed effective to add an ordinance allowing storage containers with restrictions regarding keeping them as temporary in residential zones.

The City Manager reported the need for a zone text change had been due to a number of lingering storage containers on residential streets, sidewalks, and front yards. He also reported the stagnant storage containers often diminished the aesthetic appeal of residential streetscapes. With research it had been found most other cities did not have an ordinance to address this issue. He stated although storage containers allowed a great convenience for moving and construction, it would be appropriate to allow storage containers for a limited time period. He also stated the proposed text change would add a definition of “Temporary Residential Storage Container” and regulate use of storage containers for moving to private property driveways and to two weeks in time. He indicated if an individual was renovating or constructing a home on a piece of residential property, the storage container could be kept for a maximum of six months in conjunction with a building permit. In the case of remodeling or constructing a home, a storage container could be kept anywhere on the subject property as long as it was not placed on existing landscaping.

The City Manager stated the subject application had been continued from a public hearing held before the Planning Commission on August 22, 2007, to provide additional time to better address the construction use for storage containers. He reported the Planning Commission commented as summarized below:

1. That an exception be added to allow storage containers on any portion of private property for construction of a new home provided it was not placed on existing landscaping.
2. That information should be reviewed regarding the point of view storage container companies have with an ordinance amendment for storage containers. After talking to an individual in the business of storage containers and trailers, it was noted the two week guideline for moving was more than satisfactory. It was also noted it was no problem to place a storage container on a driveway rather than in the public right-of-way, but that it might be helpful to some people to allow a 72 hour permit to be able to park in the right-of-way. Finally, the individual noted it may be wise to include semi-trailers in the ordinance text change. As many semi-trailers used for moving were very large and could cause neighborhoods great concern, staff had purposely left them out of this text change.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-5-

City Manager, Wayne Pyle, stated the Rent-A-Box containers were, in some cases, being used as garages.

Mayor Nordfelt opened the public hearing.

Charles Sipes, 4131 Bluejay, addressed the City Council. Mr. Sipes stated, as a real estate agent, he found storage containers convenient for people selling homes. He urged the City Council to be lenient.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

ACTION: CONSIDER ORDINANCE NO. 07-63, AMENDING SECTIONS 7-1-103, 7-2-116, AND ADDING SECTION 7-2-130 TO TITLE 7 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING STORAGE CONTAINERS

The City Council previously held a public hearing regarding Application No. ZT-7-2007, filed by West Valley City, and proposed Ordinance No. 07-63 which would amend Sections 7-1-103, 7-2-116, and add Section 7-2-130 to Title 7 of the West Valley City Municipal Code regarding storage containers.

After discussion, Councilmember Coleman moved to approve Ordinance No. 07-63, an Ordinance Amending Sections 7-1-103, 7-2-116 and Adding Section 7-2-130 to Title 7 of the West Valley City Municipal Code Regarding Storage Containers. Councilmember Peterson seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-6-

13487 **PUBLIC HEARING, ENACT SECTION 4-1-128 OF TITLE 4 OF THE WEST VALLEY CITY MUNICIPAL CODE TO PROHIBIT SMOKING IN CITY-OWNED RECREATIONAL AREAS AND PARKS**

City Manager, Wayne Pyle, stated a public hearing had been advertised in order for the City Council to hear and consider public comments regarding enacting Section 4-1-128 of Title 4 of the West Valley City Municipal Code to prohibit smoking in City-owned recreational areas and parks. He discussed proposed Ordinance No. 07-64 related to the Application to be considered by the City Council subsequent to the public hearing, as follows:

City Manager, Wayne Pyle, presented proposed Ordinance No. 07-64 which would enact Section 4-1-128 of Title 4 of the West Valley City Municipal Code regarding smoking in City parks and recreational areas.

Mr. Pyle stated many cities had adopted similar bans on smoking in public recreational areas as well as other public facilities. He further stated the proposed amendment would ban smoking in West Valley City parks and recreational areas such as soccer fields and ball diamonds.

The City Manager indicated staff had analyzed smoking ban ordinances enacted by other cities and determined West Valley City would benefit from a smoking ban in City parks and recreational areas. He further indicated recreational areas included ball diamonds, soccer fields, bleachers and trails owned by the City. Mr. Pyle stated City-owned golf courses were exempt from the proposed ordinance because only four people were allowed at each hole at any given time. Therefore, non-smokers were not likely affected by smokers ahead of them or behind them on the golf course.

City Manager, Wayne Pyle, reported the City had received no negative comments regarding the proposed ordinance.

Mayor Nordfelt opened the public hearing.

John Ellis, 6951 South Pine Mountain Drive, Cottonwood Heights, addressed the City Council. Mr. Ellis stated he represented Teen Advocates Against Tobacco and was in favor of the proposed ordinance. He displayed a collection of cigarette butts collected in the West Valley City Park within 10 feet of the playground. He also stated secondhand smoke was detrimental for a person's health. He advised he also represented two other individuals in attendance at the meeting.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-7-

Sharon Fowls, 2763 Stafford Circle, addressed the City Council. Ms. Fowls stated she was a teacher at Kennedy Jr. High School and a cancer survivor. She also expressed appreciation to the City Council for recognition of the right to breathe smoke-free air in public places. She indicated smoke should be limited in outdoor arenas, concerts and events and enacting the proposed ordinance would help provide positive roll models for youth.

Kirk Micah, 1916 East 7325 South, addressed the City Council. Mr. Micah stated he was the Executive Director of the Utah Partners for Health. He indicated they provided access to health care for low-income people in need and who were uninsured. He stated he was also president of the Coalition for Tobacco Free Utah. Mr. Micah explained the mission to improve health and quality of life for all Utahns by limiting health risks associated with tobacco usage. He thanked the City Council for consideration of the subject action and stated it was proven there was no safe level of secondhand smoke. Mr. Micah provided a handout with suggestions to strengthen the ordinance to include public golf courses.

Sylvia Riccard addressed the City Council. Ms. Riccard stated she was a two time breast cancer survivor and member of the advocacy team of the Utah Cancer Action Network. She thanked the City Council for considering the subject ordinance and advised that more than 50,000 Americans died each year from complications of secondhand smoke. She also indicated secondhand smoke was as harmful outdoors as it was indoors and she urged the Council to adopt the proposed ordinance.

David Gilles, 827 West Minister Avenue, addressed the City Council. Mr. Gilles stated he was a volunteer for the American Cancer Society and he thanked the Council for considering protection against secondhand smoke. He stated there was no safe level of secondhand smoke. He indicated public parks were supposed to be safe environments and children were impressionable. Mr. Gilles encouraged passage of the proposal.

Bill Inglesby, 3860 West 3160 South, addressed the City Council. Mr. Inglesby stated he had lived in the area for 42 years and remained happy the City had incorporated. He also stated the City Council had done great things and West Valley City had made an effort to include its citizens in the decision-making processes. He indicated now they desired to discriminate against smokers. He stated he used to be a smoker and the proposed ordinance would discriminate against a group of citizens. He stated, furthermore, it would be hypocritical to ban smoking in parks and not on golf courses. Mr. Inglesby inquired regarding enforcement of the ordinance. He suggested a compromise of banning in certain

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-8-

areas and stated smokers would be banned from city parks if the ordinance was passed.

Charles Sipes, 4131 Bluejay, addressed the City Council. Mr. Sipes stated he agreed with remarks made by Bill Inglesby and inquired if the City had the resources to enforce the new ordinance. He indicated most smokers respected non-smokers rights.

Adam Leffler, 3887 South 2200 West, addressed the City Council. Mr. Leffler stated he liked the approach, but was concerned there was no area allowed to smoke which eliminated options for citizens. He suggested a section of a park be allowed for smoking at limited times. He stated he agreed smoking was unhealthy, but remained concerned about the rights of every citizen.

Kim Clausing, 839 Lake View, Stansbury Park, addressed the City Council. Ms. Clausing stated she was a member of the Tooele County Board of Health and informed that both Tooele City and Tooele County had similar ordinances. She indicated people had shown self-enforcement and designating areas different would make it more difficult.

Sam Ellis, 6951 Pine Mountain Drive, addressed the City Council. Mr. Ellis stated a right was not being taken away as a smoking person could go somewhere other than a park to smoke. He stated he supported smoke-free parks.

There being no one else to speak either in favor or in opposition, Mayor Nordfelt closed the public hearing.

Upon inquiry by Councilmember Winder regarding if the ordinance included grass seats at certain venues; City Manager, Wayne Pyle, advised the current version of the proposed ordinance stated public, not City-owned public places, and entertainment venues had intentionally been left out.

Parks and Recreation Director, Kevin Astill, stated venues such as USANA and Rocky Mountain Raceway already had smoking restrictions in place. Councilmember Vincent advised USANA was a smoke free venue with a designated smoking area. He stated ushers had to enforce the ban in the seating areas and the parking lot remained an area to smoke.

Councilmember Burt stated smokers should not smoke in the face of non-smokers and to mitigate discrimination they are allowed to smoke in the parking lot.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-9-

Councilmember Coleman stated people made a choice to attend a private venue and smoking was a marketing issue for a private venue. He stated it was, however, different in a public park and he felt it would not be discriminating against people but rather against a behavior. Councilmember Coleman indicated smokers on a golf fairway were not subjecting others to their secondhand smoke but rather only those who chose to be in their immediate party.

Councilmember Peterson stated people who smoked had the choice whereas people who did not smoke did not have that choice if next to a smoker. She also stated she had allergies to smoke and had been forced to leave several places due to secondhand smoke.

Mayor Nordfelt stated pollution was as bad as cigarette smoke, but something could be done about the cigarette smoke. He further stated he agreed with discriminating against damaging behaviors. He indicated laws were frequently passed that prohibited behaviors and affected citizens. He stated the City depended on its citizens to have the attitude of community and obeying the laws. Mayor Nordfelt expressed displeasure with allowing smoking in a parking lot of a City park and suggested consideration be given to amending the ordinance to include additional restrictions in the future.

ACTION: CONSIDER ORDINANCE NO. 07-64, ENACTING SECTION 4-1-128 OF TITLE 4 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING SMOKING IN CITY PARKS AND RECREATIONAL AREAS

The City Council previously held a public hearing regarding proposed Ordinance No. 07-64 which would enact Section 4-1-128 of Title 4 of the West Valley City Municipal Code regarding smoking in City parks and recreational areas.

After discussion, Councilmember Winder moved to approve Ordinance No. 07-64, an Ordinance Enacting Section 4-1-128 of Title 4 of the West Valley City Municipal Code Regarding Smoking in City Parks and Recreational Areas. Councilmember Coleman seconded the motion.

Upon discussion, Councilmember Burt requested Councilmember Winder consider amending his motion to include a “Whereas” proposed by the American Cancer Society, as follows: “Whereas, cigarette butts are not biodegradable and discarding cigarette butts and tobacco onto the ground in outdoor public places is unsightly, unclean, hazardous to children and animals who handle and sometimes ingest them, and it is costly to city budgets to clean up cigarette butts;”.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-10-

Councilmember Winder moved to amend his original motion to include the “Whereas” clause as recommended above. Councilmember Coleman also accepted the amendment to the original motion.

After further discussion, Councilmember Peterson requested Councilmember Winder consider amending his motion to include the following: “Whereas, West Valley City through the City Council has determined the need to discourage youth smoking and therefore establish positive role models for youth;”.

Councilmember Winder moved to amend his original motion to include the “Whereas” clause as recommended above. Councilmember Coleman also accepted the amendment to the original motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

13488

ORDINANCE NO. 07-65, AMEND SECTION 1-2-110 OF TITLE 1 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING RESIDENTIAL WASTE COLLECTION

City Manager, Wayne Pyle, presented proposed Ordinance No. 07-65 which would amend Section 1-2-110 of Title 1 of the West Valley City Municipal Code regarding residential waste collection.

Mr. Pyle stated the proposal would amend the Consolidated Fee Schedule to cover cost of City-wide curbside recycling. He also stated the garbage collection fee for a first container would increase from \$10.00 to \$12.50 per month and additional containers would increase from \$6.45 to \$10.00 per month. He reported the proposed increase had become necessary to cover cost of the City-wide curbside recycling and would cover all additional costs including: new collection contract; disposal of recycling materials; purchasing and distribution of recycling containers; and ongoing maintenance of recycling containers. He reported increasing the cost of the second can to \$10.00 per month slightly reduced the cost of the first can and provided an incentive to use the new

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-11-

recycling program. He stated the Council was in receipt of graphs showing current fees charged by other cities for both first and additional cans.

The City Manager reported garbage fees had been increased in July 1, 2005, from \$9.45 to \$10.00 per month for first containers. He indicated the amount charged for additional containers had not changed since 1997.

City Manager, Wayne Pyle, distributed written information entitled “Garbage Fee Alternatives with Recycling” showing figures of what other options would be in relation to fees. He reported all alternatives included a free recycling can. The City Council discussed various possible alternatives to the proposed fee schedule.

The Council discussed the pros and cons of the suggested alternative rate plans at length.

After the discussion, Councilmember Peterson moved to approve Ordinance No. 07-65, an Ordinance Amending Section 1-2-110 of Title 1 of the West Valley Municipal Code Regarding Residential Waste Collection; with \$12.50 for the 1st can and \$10.00 for the 2nd can (Alternative #1). Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	No
Mr. Brooks	No
Mr. Coleman	No
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	No

Motion failed – lack of majority.

After further discussion, Councilmember Coleman moved to approve Ordinance No. 07-65, an Ordinance Amending Section 1-2-110 of Title 1 of the West Valley Municipal Code Regarding Residential Waste Collection; with \$13.30 for the 1st can and \$6.45 for the 2nd can (Alternative #2). Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
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MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-12-

Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	No
Mr. Winder	Yes
Mayor Nordfelt	Yes

Majority.

13489

ORDINANCE NO. 07-66, AMEND SECTION 24-2-113 OF TITLE 24 OF THE WEST VALLEY CITY MUNICIPAL CODE REGARDING RESIDENTIAL SOLID WASTE COLLECTION

City Manager, Wayne Pyle, presented proposed Ordinance No. 07-66 which would amend Section 24-2-113 of title 24 of the West Valley City Municipal Code regarding residential solid waste collection.

Mr. Pyle stated the proposed ordinance would allow the City to revoke recycling services for customers who repeatedly contaminated the recycling waste stream. He further stated a common problem with curb-side programs was contamination of the recycling waste stream. He indicated contamination occurred when residents placed regular garbage in the recycling container. He indicated the City would revoke recycling services by picking up the recycling container from customers who, after being warned, continued to contaminate the waste stream. He advised educational materials would also be distributed with the containers to inform residents of proper use. He also stated contamination caused increased sorting costs at the Materials Recycling Facility, reduced the value of the recycled materials, and could render the recycled product valueless, in some cases.

After discussion, Councilmember Coleman moved to approve Ordinance No. 07-66, an Ordinance Amending Section 24-2-113 of Title 24 of the West Valley Municipal Code Regarding Residential Solid Waste Collection. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-13-

Unanimous.

13490

RESOLUTION NO. 07-224, APPROVE AN AMENDMENT TO THE DEVELOPMENT AGREEMENT WITH ADAMS BAY LIGHTHOUSE DEVELOPMENT INVESTMENTS, L.L.C. FOR PROPERTY LOCATED AT APPROXIMATELY 3765 SOUTH 6515 WEST

City Manager, Wayne Pyle, presented proposed Resolution No. 07-224 which would approve an amendment to the Development Agreement with Adams Bay Lighthouse Development Investments, L.L.C. for property located at approximately 3765 South 6515 West.

Mr. Pyle stated that in April of 2006, the City Council approved Resolution No. 06-82 authorizing a development agreement between the City and Adams Bay Lighthouse Investments L.L.C. for a new subdivision to be located at 3765 South 6515 West. He indicated the subject agreement set forth development standards to enhance the residential subdivision. He advised the purpose of the proposed amendment would be to change the name of the developer from Adams Bay Lighthouse Investments, L.L.C. to Oak Haven Management, L.L.C.

After discussion, Councilmember Peterson moved to approve Resolution No. 07-224, a Resolution Authorizing the Execution of an Amendment to the Development Agreement with Adams Bay Lighthouse Development Investments, L.L.C. for Property Located at Approximately 3765 South 6515 West. Councilmember Winder seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

13491

RESOLUTION NO. 07-225, APPROVE SPONSORSHIP AGREEMENT WITH LAND O'FROST

City Manager, Wayne Pyle, presented proposed Resolution No. 07-225 which would approve a Sponsorship Agreement with Land O'Frost. He stated the

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-14-

proposal would allow advertisement of their products by being a sponsor of West Valley City recreation programs. He also stated Land O’Frost was willing to pay the City \$12,000 in return for having their name on uniforms and signs.

Mr. Pyle reported Land O’Frost was a food distributor to grocery stores and had chosen to advertise their products across the country by sponsoring local recreational programs. He indicated West Valley City was one of Land O’Frost target markets.

The City Manager indicated Land O’Frost proposed a one year sponsorship for youth recreation programs and, in return, they required the recreation programs to put their name and logo on team uniforms, distribute coupons to the teams, provide a banner to be displayed at the programs, and promote their company in other ways as listed in the subject contract.

Mr. Pyle stated the Parks and Recreation Department often used sponsorships as a way to off-set costs of programs and keep participation prices affordable. He indicated the requests of Land O’Frost were similar in nature to sponsorships done in the past. He reported the City had used Land O’Frost in the past and had been very satisfied with the relationship.

After discussion, Councilmember Burt moved to approve Resolution No. 07-225, a Resolution Authorizing the Execution of a Sponsorship Agreement between West Valley City and Land O’Frost. Councilmember Vincent seconded the motion.

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-15-

13492 **RESOLUTION NO. 07-226, APPROVE AMENDMENT NO. 2 TO AGREEMENT WITH ACE DISPOSAL, INC. REGARDING BI-WEEKLY COLLECTION OF RECYCLABLE MATERIALS**

City Manager, Wayne Pyle, presented proposed Resolution No. 07-226 which would approve Amendment No. 2 to an Agreement with Ace Disposal, Inc. regarding bi-weekly collection of recyclable materials.

Mr. Pyle stated the proposed amendment would add bi-weekly collection of recyclable materials. He reported the current agreement, which became effective July 1, 2005, required Ace to provide curbside collection of recyclable materials by subscription. He stated that after two and one-half years, only about two percent of eligible households had subscribed to the service. He indicated because of the lag in subscriptions, Ace had requested a rate adjustment or suggested the City consider providing a recycling service City-wide.

The City Manager reported, at the City's request, Ace provided a proposal to provide bi-weekly collection of recyclable materials at a cost of \$1.32 per unit per month for all single-family residential units in the City. He stated this rate included collection and disposal costs only, and the City would incur additional costs to purchase the recycling containers, deliver and maintain them.

Mr. Pyle indicated it had been estimated the City would save \$100,000 - \$140,000 annually by diverting 5,000 – 7,000 tons of recyclable materials from the landfill to a materials recycling facility. The City's residential solid waste stream was expected to decrease by 13%. Although this would be a significant reduction in the City's waste stream, the life of the Salt Lake Valley Landfill would be extended only slightly. He stated that over 20 years, the life of the landfill would be extended less than one year with the implementation of West Valley City's curbside recycling program.

The City Manager advised the proposed program would be the most cost efficient way to provide curbside recycling to every home in the City. He indicated implementation of a curbside recycling program would bring West Valley City in line with other major cities along the Wasatch Front and virtually every other city in Salt Lake County.

After discussion, Councilmember Burt moved to approve Resolution No. 07-226, a Resolution Authorizing the Execution of Amendment No. 2 to the Agreement between West Valley City and Ace Disposal, Inc. Regarding Bi-weekly Collection of Recyclable Materials. Councilmember Brooks seconded the motion.

MINUTES OF COUNCIL REGULAR MEETING – OCTOBER 23, 2007

-16-

A roll call vote was taken:

Mr. Vincent	Yes
Mr. Brooks	Yes
Mr. Coleman	Yes
Ms. Burt	Yes
Ms. Peterson	Yes
Mr. Winder	Yes
Mayor Nordfelt	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY CITY COUNCIL, THE REGULAR MEETING OF TUESDAY, OCTOBER 23, 2007, WAS ADJOURNED AT 8:10 P.M., BY MAYOR NORDFELT.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held October 23, 2007.

Carel Hicks, CMC
Deputy City Recorder